



Express Mail # EL 993326174 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:)
)
KUONI, Christian)
) Group Art Unit: 1771
Application Ser. No. 09/980,292)
)
Filed: November 29, 2001)
) Examiner: Singh, Arti
WOVEN LABEL MADE FROM)
FUSABLE THREAD MATERIAL)

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In response to the Office Action dated September 5, 2003, Applicant submits herewith the following Supplemental Information Disclosure Statement. Applicant believes that copies of the references were transmitted to the U.S. as a designated and elected state because the EP and Swiss references discussed below were cited in the International Search Report and International Preliminary Examination Report, and accordingly that the references should have been considered by the Examiner without the necessity of providing further explanations. MPEP 1893.03(g). Copies of the International Search Report and the International Preliminary Examination report are indicated to be in the file, and the Examiner has noted on Form 1449 that the references have been provided. Nonetheless, to expedite consideration of these references, applicant provides the following explanations and additional materials.

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Applicant submits herewith a copy of U.S. Patent No. 5,112,420 to Diesner issued May 12, 2002. This U.S. patent shares the same priority claim to German Application 3910218 as the provided EPO reference 0 389 793 and applicant believes the disclosure of this U.S. Patent corresponds in all respects to the EP 0 389 793 previously submitted, such that the EP 0 389 793 reference is cumulative thereto under Rule 1.98(c).

With regard to EP 0 919 650, EP 0 427 933 and EP 0 546 485, applicant has been unable to locate any corresponding patents or validations in the English language. It has been able to obtain, however, English Abstracts of these applications which are provided herewith pursuant to Rule 1.98(a)(3)(ii). As to the Swiss Patent 333 891, applicant has not been able to obtain any corresponding patent in English. However, applicant has been able to obtain an English translation of the claims of that patent, provided herewith pursuant to Rule 1.98(a)(3)(ii).

Pursuant to Rule 1.98(a)(3)(i), the following concise explanation of the relevance of these references is provided as follows:

1. EP 0 389 793 and U.S. 5,112,420 corresponding thereto is concerned with a method of making textile labels to be applied to garments. In EP 0 389 793, it is specifically pointed out in column 1, lines 42 to 52, that "the invention has realized that it is useless to experiment with fusion edges, to soften said edges." The cutting knife of this reference is provided in the form of a thermal knife and a two-stage method for producing the labels is defined. In a first stage, a semi-finished product is provided with cut longitudinal sides and with a greater width. In a second stage, the semi-finished product is folded along the margin to the final width and the folded margins are adhesively bonded on the rear side in order to obtain a soft label.

In the EP 0 389 793 and U.S. 5,112,420 references, the rectangular labels are produced by a weaving machine with the weft threads arranged widthways; thus, the warp threads are arranged longitudinally. The excess width of the label defined in stage one of this reference is obsolete, i.e., waste. To produce the labels in stage two, a delicate bonding process is required.

2. EP 0 546 485 discloses a method of manufacturing a textile band with figure wefts, particular in the context of labels. In this reference, the orientation of the weft and warp threads are the same as in the above-described EP 0 389 793 reference, meaning that the weft threads are arranged widthways and the warp threads arranged longitudinally. In EP 0 546 485, a web with the foregoing described arrangement of weft and warp threads is supposed to be cut into rectangular bands to produce labels. The longitudinal side of the band represents the longitudinal side of the final labels. Between two adjacent bands, a narrow spacer zone is provided. In the transitional zone between a longitudinal band and a longitudinal spacer zone, at least one meltable thread is tied off with the basic weft and/or figure weft thread in a warp-like manner. In the spacer zone, the figure weft is always arranged on the rear side of the basic fabric and therefore forms a layer separate from the basic fabric. Longitudinally extending double-layered spacer zones are produced thereby, with a first layer formed by the basic weft and with a second layer produced by the figure weft. These spacer zones are then heated, at least in the transitional region having the meltable thread, until the meltable material dissolves and fixes the web along two lines distant from one another. Further, in the gaps between the fixing lines obtained in this way, the spacer zone is cut longitudinally by cold means. Patterned bands are thereby obtained from the longitudinal bands and produce, along the two longitudinal edges,

velvet-like band edges, composed of the projecting, non-fixed figure-weft and/or the basic weft thread ends. The meltable threads are arranged as warp threads. In case one wants to produce different labels with different widths, the warp threads need to be positioned differently, which is not an easy task and is time-consuming. Additionally, the longitudinal cut is performed in a two-stage process. In a first stage, the meltable thread needs to be melted to provide the solid edge of the cut bands. This process requires furthermore a heating bench to melt the thread. In a second stage, the said spacer zone is cut longitudinally with a mechanical knife. Finally, the cut edges have a much different appearance than those aspired by the present invention. The cut edges in this EP 0 546 485 reference have the velvet-like band edges as described above, composed of the projecting, non-fixed figure-weft and/or the basic thread ends.

3. EP 0 919 650 concerns a woven strip, particularly a label strip, and a method of manufacturing and using the woven strip. In this reference, the woven label has code wefts across the ribbon width, alternating with the fabric wefts, with the wefts together forming the woven structure. In the visible light spectrum, the warps and wefts are all identical and the code pattern is not visible, until a light outside the visible spectrum is applied and the code wefts change their appearance to reveal the label code. The code wefts have a fluorescent dye, which is not apparent in the visible light spectrum, and the code pattern is revealed under ultra-violet light. In the teaching of the EP 0 919 650 reference, like those of the references discussed above, the longitudinal sides of the rectangular label run in the warp direction and therefore this arrangement does not resolve the problem induced by cutting the longitudinal sides in the warp direction.

4. EP 0 427 933 discloses a method and a device for manufacturing a textile band

with a woven pattern, particularly a band of labels, out of a wide web made from thermo-fusible yarn. In this reference, the manufacture of the label tape starts from a wide web, into which the various tape patterns are worked multiply next to one another by figuring wefts in the particular zones. Again, as in the other references discussed above, the longitudinal sides of the rectangular label run in the warp direction. The wide web is thereafter cut in zones into the desired label tapes by means of fusion cuts, fusion edges occurring at the tape margins. To make the fusion edges especially soft, it is taught that first all of the figuring wefts are caused to float above the base fabric in a figuring-weft layer in the transitional region, after which the figuring-weft layer is removed, for example, by being burnt away, before the fusion cut is made. As fusion cutters, ironing surfaces, along with the fusion edges brush, are used. Thus, the process used in EP 0 427 923 to achieve soft edges is rather complicated.

5. Swiss patent number 333891 is written in French, and applicant has obtained a translation of the claims into English as noted above. Swiss patent number 333891 describes a label made of a fabric, characterized in that the fabric contains thermoplastic threads, which are arranged in at least one end portion of the label, and the threads are visible on at least one side of the fabric. This arrangement will allow one to attach the label on a supporting surface by means of the thermoplastic threads forming the portions with the application of temperature and pressure. From the drawings of the Swiss 333891 reference, it may be concluded that the warp threads are parallel to the longitudinal sides of the label and consequently the weft threads are parallel to the narrow sides of the label. Therefore, this arrangement does not resolve the problems induced by cutting the longitudinal sides in the warp direction, as discussed above.

The required fee of \$180.00 due in connection with this submission is enclosed herewith.

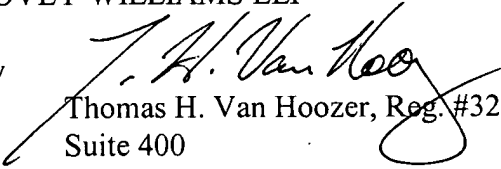
Any additional fee due in connection with this should be applied against our Deposit Account

No. 19-0522.

Respectfully submitted,

HOVEY WILLIAMS LLP

By


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(Docket No. 32404)

A circular ink stamp from the U.S. Patent and Trademark Office. The text "U.S. PATENT & TRADEMARK OFFICE" is arranged in a circle around the date "DEC 04 2003". The stamp is partially obscured by a vertical line and a horizontal line.

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FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

			English translation of Abstract of EP0546485; published 1993-06-16
			English translation of Abstract of EP0919650; published 1999-06-02
			English translation of Abstract of EP0427933; published 1991-05-22
			Claims translated from French to English of Swiss Patent No. 333891

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.